

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Appropriations, to which was referred House Bill No. 1153, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, delete lines 1 through 17.
- 2 Delete pages 2 through 5.
- 3 Page 6, between lines 24 and 25, begin a new paragraph and insert:
- 4 "SECTION 2. IC 4-32.2-1-2, AS ADDED BY P.L.91-2006,
- 5 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 6 JULY 1, 2008]: Sec. 2. **Except as provided in IC 4-32.2-4-13(e)**, the
- 7 purpose of this article is to permit a licensed qualified organization:
- 8 (1) to conduct allowable events; and
- 9 (2) to sell pull tabs, punchboards, and tip boards;
- 10 as a fundraising activity for lawful purposes of the organization."
- 11 Page 8, between lines 5 and 6, begin a new paragraph and insert:
- 12 "SECTION 6. IC 4-32.2-4-13, AS AMENDED BY P.L.227-2007,
- 13 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 14 JULY 1, 2008]: Sec. 13. (a) A bingo license or special bingo license
- 15 may also authorize a qualified organization to conduct raffle events and
- 16 door prize drawings and sell pull tabs, punchboards, and tip boards at
- 17 the bingo event.
- 18 (b) A charity game night license may also authorize a qualified
- 19 organization to:
- 20 (1) conduct raffle events and door prize drawings; and

1 (2) sell pull tabs, punchboards, and tip boards;
2 at the charity game night.

3 (c) A raffle license or an annual raffle license may also authorize a
4 qualified organization to conduct door prize drawings and sell pull
5 tabs, punchboards, and tip boards at the raffle event.

6 (d) A door prize license or an annual door prize license may also
7 authorize a qualified organization to conduct a raffle event and to sell
8 pull tabs, punchboards, and tip boards at the door prize event.

9 **(e) A PPT license may also authorize a qualified organization to**
10 **conduct at any time on the premises described in section 16.5(b) of**
11 **this chapter a winner take all drawing in which the qualified**
12 **organization retains no portion of the amounts wagered."**

13 Page 8, between lines 41 and 42, begin a new paragraph and insert:

14 "SECTION 10. IC 4-35-7-13, AS ADDED BY P.L.233-2007,
15 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2008]: Sec. 13. (a) The definitions in IC 3-5-2 apply to this
17 section to the extent they do not conflict with the definitions in this
18 article.

19 (b) As used in this section, "candidate" refers to any of the
20 following:

- 21 (1) A candidate for a state office.
- 22 (2) A candidate for a legislative office.
- 23 (3) A candidate for a local office.

24 (c) As used in this section, "committee" refers to any of the
25 following:

- 26 (1) A candidate's committee.
- 27 (2) A regular party committee.
- 28 (3) A committee organized by a legislative caucus of the house of
29 the general assembly.
- 30 (4) A committee organized by a legislative caucus of the senate
31 of the general assembly.

32 (d) Money distributed **to a horsemen's association** under section
33 12 of this chapter may not be used for any of the following purposes:

- 34 (1) To make a contribution to a candidate or a committee.
- 35 (2) For lobbying (as defined in IC 2-7-1-9)."

36 Page 9, line 27, delete "Indiana gaming commission." and insert
37 **"alcohol and tobacco commission created by IC 7.1-2-1-1."**

38 Page 9, delete lines 35 through 36.

- 1 Page 9, line 37, delete "8." and insert "7."
- 2 Page 10, line 5, delete "9." and insert "8."
- 3 Page 10, delete lines 8 through 9.
- 4 Page 10, line 10, delete "11." and insert "9."
- 5 Page 10, line 13, delete "12." and insert "10."
- 6 Page 10, line 15, delete "13." and insert "11."
- 7 Page 10, line 17, delete "14." and insert "12."
- 8 Page 10, line 20, delete "15." and insert "13."
- 9 Page 10, line 23, delete "16." and insert "14."
- 10 Page 10, line 24, delete "17." and insert "15."
- 11 Page 10, line 26, delete "18." and insert "16."
- 12 Page 10, line 28, delete "19." and insert "17."
- 13 Page 10, line 28, delete "that is licensed:" and insert "**that:**".
- 14 Page 10, line 29, after "(1)" insert "**is licensed**".
- 15 Page 10, line 30, delete "person's licensed premises;" and insert
- 16 "**licensed premises of the person's tavern;**".
- 17 Page 10, line 31, after "(2)" insert "**holds an endorsement**".
- 18 Page 10, line 31, delete "under a retailer's" and insert "**that was**".
- 19 Page 10, line 32, delete "license".
- 20 Page 10, line 32, after "issued" insert "**by the commission**".
- 21 Page 10, between lines 32 and 33, begin a new paragraph and insert:
- 22 "**Sec. 18. "Tavern" means a permit premises:**
- 23 **(1) that meets the definition of restaurant set forth in**
- 24 **IC 7.1-3-20-9 but is used primarily for the serving of alcoholic**
- 25 **beverages by the drink to the general public; and**
- 26 **(2) where food service is secondary to the primary use**
- 27 **described in subdivision (1):**
- 28 **(A) in the amount of sales; and**
- 29 **(B) in the size of the service area where minors are not**
- 30 **permitted."**
- 31 Page 10, line 33, delete "20." and insert "19."
- 32 Page 10, line 35, delete "21." and insert "20."
- 33 Page 10, line 36, after "the" insert "**Indiana gaming**".
- 34 Page 10, line 37, delete "both IC 4-32.2 and this article." and insert
- 35 "**IC 4-32.2**".
- 36 Page 10, line 38, delete "22." and insert "21."
- 37 Page 10, line 39, delete "licensed" and insert "**tavern**".
- 38 Page 10, delete line 40.

- 1 Page 11, delete lines 3 through 9.
- 2 Page 11, line 29, after "issue" insert "**an endorsement or**".
- 3 Page 11, line 35, after "1." insert "**(a)**".
- 4 Page 11, line 35, delete "license" and insert "**endorsement**".
- 5 Page 11, line 37, delete "license" and insert "**endorsement**".
- 6 Page 11, line 38, delete "licensed premises" and insert "**tavern**".
- 7 Page 11, line 40, delete "license" and insert "**endorsement**".
- 8 Page 11, line 40, delete "licensed premises on" and insert "**tavern**
- 9 **at**".
- 10 Page 11, between lines 41 and 42, begin a new paragraph and insert:
- 11 "**(b) The commission shall affix an endorsement issued under**
- 12 **this chapter to the retailer's alcoholic beverage permit that**
- 13 **authorizes the retailer to sell alcoholic beverages at the tavern**
- 14 **specified in the retailer's application under section 3(b)(2) of this**
- 15 **chapter. An endorsement issued under this chapter is valid for one**
- 16 **(1) year.**".
- 17 Page 11, line 42, delete "license," and insert "**endorsement,**".
- 18 Page 12, line 1, delete "an establishment" and insert "**a tavern**".
- 19 Page 12, line 2, delete "person's licensed" and insert "**premises of**
- 20 **the tavern.**".
- 21 Page 12, delete line 3.
- 22 Page 12, line 4, delete "Notwithstanding subsection (a), the" and
- 23 insert "**The**".
- 24 Page 12, line 5, delete "license" and insert "**endorsement**".
- 25 Page 12, between lines 10 and 11, begin a new line block indented
- 26 and insert:
- 27 "**(5) An organization that is eligible to apply for a charity**
- 28 **gaming license under IC 4-32.2.**".
- 29 Page 12, line 11, delete "(5)" and insert "**(6)**".
- 30 Page 12, between lines 12 and 13, begin a new line block indented
- 31 and insert:
- 32 "**(7) A person holding a permit issued under IC 7.1-3 for a**
- 33 **licensed premises that is not a tavern, including holders of the**
- 34 **following:**
- 35 **(A) A boat permit.**
- 36 **(B) A hotel permit.**
- 37 **(C) A fraternal club permit.**
- 38 **(D) A resort hotel permit.**

- 1 (E) An airport permit.
- 2 (F) A satellite facility permit.
- 3 (G) A microbrewery permit.
- 4 (H) A social club permit.
- 5 (I) A civic center permit.
- 6 (J) A catering hall permit.
- 7 (K) A dining car permit.
- 8 (L) A temporary event permit.
- 9 (M) A permit for any of the following facilities:
- 10 (i) A stadium.
- 11 (ii) An automobile race track.
- 12 (iii) A concert hall."
- 13 Page 12, line 13, delete "license," and insert "**endorsement**,".
- 14 Page 12, line 19, delete "licensed premises" and insert "**tavern**".
- 15 Page 12, line 20, delete "license." and insert "**endorsement**".
- 16 Page 12, line 30, delete "license" and insert "**endorsement**".
- 17 Page 12, line 32, delete "license." and insert "**endorsement**".
- 18 Page 12, line 34, before "under" delete "license" and insert
- 19 "**endorsement**".
- 20 Page 12, line 34, after "initial" delete "license" and insert
- 21 "**endorsement**".
- 22 Page 12, line 37, after "annual" insert "**endorsement or**".
- 23 Page 12, line 38, delete "license" and insert "**endorsement**".
- 24 Page 12, line 39, delete "licensed" and insert "**tavern**".
- 25 Page 12, delete line 40.
- 26 Page 13, line 3, after "annual" insert "**endorsement or**".
- 27 Page 13, line 5, delete "license." and insert "**endorsement**".
- 28 Page 13, between lines 8 and 9, begin a new paragraph and insert:
- 29 "**(c) The commission shall deposit all fees collected under this**
- 30 **chapter into the enforcement and administration fund established**
- 31 **under IC 7.1-4-10.**".
- 32 Page 13, line 28, delete "license" and insert "**endorsement**".
- 33 Page 14, line 24, delete "licensure." and insert "**an endorsement or**
- 34 **license issued under this chapter.**".
- 35 Page 14, line 27, before "license" insert "**endorsement or**".
- 36 Page 14, line 32, after "issue" insert "**an endorsement or**".
- 37 Page 14, line 37, delete "licensure." and insert "**holding an**
- 38 **endorsement or license issued under this chapter.**".

- 1 Page 15, line 2, before "license" insert "**endorsement or**".
- 2 Page 15, line 16, before "a license" insert "**an endorsement or**".
- 3 Page 15, line 19, delete "A" and insert "**An endorsement or a**".
- 4 Page 15, line 21, after "revoke" insert "**an endorsement or**".
- 5 Page 15, line 23, before "license" insert "**endorsement or**".
- 6 Page 15, line 28, delete "license" and insert "**endorsement**".
- 7 Page 15, line 35, delete "retailer's licensed premises." and insert
- 8 "**premises of the retailer's tavern.**".
- 9 Page 17, delete lines 5 through 42.
- 10 Page 18, delete lines 1 through 39.
- 11 Page 18, line 40, delete "7." and insert "**6.**".
- 12 Page 18, line 41, after "revoke the" insert "**endorsement or**".
- 13 Page 19, line 22, after "revoke" insert "**an endorsement or**".
- 14 Page 19, line 23, after "suspension of" insert "**an endorsement or**".
- 15 Page 19, between lines 40 and 41, begin a new paragraph and insert:
- 16 "**Sec. 6. The commission shall deposit all civil penalties collected**
- 17 **under this chapter into the enforcement and administration fund**
- 18 **established under IC 7.1-4-10.**".
- 19 Page 19, line 41, delete "8." and insert "**7.**".
- 20 Page 20, line 7, delete "licensed premises." and insert "**tavern.**".
- 21 Page 20, line 18, delete "executive director." and insert
- 22 "**commission.**".
- 23 Page 20, line 35, after "for" insert "**endorsements or**".
- 24 Page 20, line 41, delete "executive director," and insert
- 25 "**commission,**".
- 26 Page 21, line 6, delete "alcohol and tobacco" and insert "**Indiana**
- 27 **gaming**".
- 28 Page 21, line 8, delete "executive director" and insert
- 29 "**commission**".
- 30 Page 21, line 10, delete "9." and insert "**8.**".
- 31 Page 21, line 34, delete "10." and insert "**9.**".
- 32 Page 22, line 31, delete "type II gaming enforcement" and insert
- 33 "**state general**".
- 34 Page 22, delete lines 32 through 40.
- 35 Page 23, line 9, delete "(IC 4-36-10);" and insert "**(IC 4-36-9);**".
- 36 Page 23, delete lines 35 through 42.
- 37 Delete page 24.
- 38 Page 25, delete lines 1 through 20.

- 1 Page 25, delete lines 29 through 34.
- 2 Renumber all SECTIONS consecutively.
(Reference is to HB 1153 as reprinted January 29, 2008.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 3.

Meeks

Chairperson